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SUBSTITUTE

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
 MTS-520US3

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 5,761,301, granted June 2, 1998, and for which a

reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK

the specification of which

☐ is attached hereto.

☒ was filed on June 2, 2000 as reissue application number 09 / 588,364
 and was amended on _____
 (if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.55.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

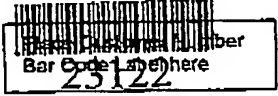
☐ by reason of other errors.

At least one error upon which reissue is based is described as follows: See Attachment

(Page 1 of 2)

Burden/ Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Approved for use through 10/31/2002. OMB 0651-0033
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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) MTS-520US3	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s) Allan Ratner		Registration Number 19,717	
(Also see attached)			
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number		 PATENT TRADEMARK OFFICE	
OR		Type Customer Number here	
<input checked="" type="checkbox"/> Firm or Individual Name	RatnerPrestia		
Address	P.O. Box 980		
Address			
City	Valley Forge	State	PA
Country			
Telephone	(610) 407-0700	Fax	(610) 407-0701
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name) Mitsuaki Oshima			
Inventor's signature <i>Mitsuaki Oshima</i>		Date 12/9/2002	
Residence Osaka, Japan		Citizenship Japanese	
Mailing Address 115-5, Minamitsumi-cho, Katsura, Nishikyo-ku, Kyoto-shi, Kyoto 615 Japan			
Full name of second joint inventor (given name, family name) Yoshiho Gotoh			
Inventor's signature <i>Yoshiho Gotoh</i>		Date 12/9/2002	
Residence Osaka, Japan		Citizenship Japanese	
Mailing Address Room 201, 9-17, Higashinakanuma 4-chome, Jyoto-ku, Osaka-shi, Osaka 536 Japan			
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

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I:\MTS\520us3\Substitute Reissue Declaration Inventor.doc

Attachment to PTO/SB/51 (10-00)
Reissue Application Declaration by the Inventor

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at column 12, lines 30-36 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern or at least one marking.

More specifically, the inventors did not claim any one of the features of trimming the reflective layer of an optical disk to form a barcode pattern, where the barcode pattern is formed on pits functioning as a track on the disk.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/1995

DLHJT:WHS\520US3\ATTACHMENT_SUBDEC.DOC

Attachment to PTO/SB/51 (10-00)
Reissue Application Declaration by the Inventor

Robert L. Andersen	Reg. No. 25,771	Lawrence E. Ashery	Reg. No. 34,515	Steven E. Bach	Reg. No. 46,530
Daniel N. Calder	Reg. No. 27,424	Lowell L. Carson	Reg. No. 48,548	Kevin R. Casey	Reg. No. 32,117
Joshua L. Cohen	Reg. No. 38,040	Rex A. Donnelly, IV	Reg. No. 41,712	Jacques L. Elkowicz	Reg. No. 41,738
Kevin W. Goldstein	Reg. No. 34,608	William P. Hauser	Reg. No. 26,277	Jack J. Jankovitz	Reg. No. 42,690
Costas S. Krikelis	Reg. No. 28,028	Benjamin E. Leace	Reg. No. 33,412	Christopher R. Lewis	Reg. No. 36,201
Bruce M. Monroe	Reg. No. 33,602	Andrew L. Ney	Reg. No. 20,300	Kenneth N. Nigon	Reg. No. 31,549
Pamela D. Politis	Reg. No. 47,865	Paul F. Prestia	Reg. No. 23,031	Allan Ratner	Reg. No. 19,717
Robert P. Seitter	Reg. No. 24,856	James C. Simmons	Reg. No. 24,842	Jonathan H. Spadt	Reg. No. 45,122
Christopher M. Spletzer	Reg. No. 52,240	Frank Tise	Reg. No. 50,379	Stanley Weinberg	Reg. No. 25,276